


Councilmember Adrian M. Fenty

AN BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998 to add responsibilities to the Commission and conform the description of the program that it administers and require the Office of Local Business Development to submit within 30 days after the end of each quarter; quarterly agency reports on contracts and implementation plans for local business development to the Mayor and the Council, to amend section 2-217.02. of the District of Columbia Code to establish the District of Columbia Local, Small, Disadvantaged Business Enterprises Office of Advocacy.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Equal Opportunity for Local, Small, or Disadvantaged Business Enterprises Amendment Act of 2003".

Sec. 2. The Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998 is amended as follows:

(b) Section 3 is amended as follows:

(1) Subsection (a) is amended by striking the word "Office" wherever it appears and inserting the word "Commission" in its place.

(2) Subsection (b) is amended by striking the word "Office" and inserting the word "Commission" in its place.

(3) Subsection (c) is amended by striking the phrase "the Office shall" and inserting the phrase "the Commission shall" in its place.

1 (4) A new subsection (d) is added to read as follows:

2 "(d) Each agency of the District shall submit to the Office and Commission, within 60
3 days of the effective date of the Equal Opportunity for Local, Small, or Disadvantaged Business
4 Enterprises Amendment Act of 2002, an implementation plan setting forth the manner in which
5 the agency shall comply with the requirements of subsection (a) of this section."

6 (5) A new subsection (e) is added to read as follows:

7 "(e) The Office and Commission shall monitor agency compliance with the
8 requirements of subsections (a) and (d) of this section and shall review whether the plans
9 required by subsections (a) and (d) of this section have been submitted in a timely manner by
10 the agency and whether the plans acceptably meet the goals of this section."

11 Sec.3. Section 2-217.02. of the District government contracting with local business
12 enterprises; quarterly agency reports on contracts; Council review of goals is amended as
13 follows:

14 (a) A new paragraph (4) and (5) is added to read as follows:

15 "(4) The Office shall submit within 30 days after the end of each quarter;
16 quarterly agency reports on contracts and implementation plans for local business development
17 to the Mayor and the Council.

18 (5) The Office shall submit to the Mayor and the Council on a semi-annual
19 basis; the dollar volume of contracts of all prime contractors and subcontractors which were
20 awarded to local business enterprises, disadvantaged business enterprises, and small business
21 enterprises to include a determination if the prime contractors and subcontractors acceptably
22 meet the goals of the Office."

23
24 Sec.4. A new section 2-215.05. is added to read as follows:

25 "2-215.05. Establishment of Local, Small, Disadvantaged Business Enterprises
26 Office of Advocacy.

27 (a) There is hereby established The District of Columbia Local, Small, Disadvantaged
28 Business Enterprises Office of Advocacy, which shall serve as an independent source of advice
29 and policy recommendations to the District of Columbia Local Business Opportunity
30 Commission, the Office of Local Business Development, the Mayor, and to the Council.

31 (b)(1) Within 60 days from the enactment of law, the Mayor shall with consent of the
32 Council appoint an advocate ("Advocate") for a 2-year term.

33 (2) The Advocate shall be a resident of the District of Columbia.

34 (3) The Advocate shall be eligible for reappointment and shall continue in office until a
35 successor has been qualified, appointed, and taken office.

1 (4) The Advocate shall have knowledge of the minority business community as it relates
2 to employment and economic development, and the practices of the Office of Local
3 Business Development.

4 (c) The Advocate who shall meet on a quarterly basis with all certified local, small,
5 disadvantaged business enterprises to hear concerns, assist with finding resolutions to concerns
6 and submit a report to the Mayor and Council.

7 (c)(1) The Advocate shall make recommendations as to changes in policies that would
8 improve the competitive position of local, small, disadvantaged business enterprises, including
9 recommendations as to incentives which could be provided to larger corporations to maximize
10 their use of District local, small, disadvantaged business enterprises;

11 (2) promote and assist in the development of a local, small, disadvantaged business
12 enterprises census and other surveys of local, small, disadvantaged businesses;

13 (3) monitor and promote the plans, programs, and operations of District agencies
14 which may contribute to the establishment and growth of local, small, disadvantaged business
15 enterprises;

16 (4) advise and consult with the Office on Local Business Development in the design of
17 a comprehensive plan for a joint public-private sector effort to facilitate growth and
18 development of local, small, disadvantaged business enterprises;

19 (5) not later than 60 days after the last day of each fiscal year, submit to the Mayor, the
20 Council, to the Office on Local Business Development, and the District of Columbia Local
21 Business Opportunity Commission, a report containing:

22 (A) a detailed description of the activities of the Advocate, including a status
23 report on the Office of Local Business Developments progress toward meeting
24 its duties outlined in Subchapter IX. + § 2-217.02.; and

25 (B) the findings, conclusions, and recommendations for such legislation and
26 administrative actions as the Advocate considers appropriate to promote the
27 development local, small, disadvantaged business enterprises.

28 29 Sec. 4. Fiscal impact statement.

30 The Council adopts the fiscal impact statement in the committee report as the fiscal
31 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
32 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).
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34 Sec. 5. This act shall take effect following approval by the Mayor (or in the event of
35 veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional
36 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

1 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the
2 District of Columbia Register.
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